JOURNAL'S BUSINESS DIRECTORY.

COAL-Coburn Coal Co., East 22d st. An-thracite, coke, hard and soft coal. Phone 2445.

BRILL, & CO., fancy dyers and cleaners; silk curtains, any color, cleaned and finished equal to new; also ladies' light cloth jackets a specialty. 238 Massachusetts avenue and 155 North Illinois street.

BERTERMANN FLORAL COMPANY, New No. 241 Mass ave., 226 N. Del. st. Tel. 840

UNION CO-OPERATIVE LAUNDRY. Work called for. 138-144 Virg. ave. 'Phone 1269 MANTELS AND GRATES-

P. M. PURSELL (Mantels, Furnaces). 231 Mass. ave. PATENT LAWYERS-

V. H. LOCKWOOD, 415-418 Lemcke building. SALE AND LIVERY STABLES-

HORACE WOOD (Carriages, Traps, Buck-boards, etc.) 25 Circle, Tel. 1097. boards, etc.) SHOW CASES-WILLIAM WEIGEL, 116 South Pennsylvania st

UNDERTAKERS-

FRANK BLANCHARD, 59 N. Delaware st. Tel 411. Lady Attendant H. C. STEVENS, New Style Wall Paper, Low prices. 930 N. Senate ave. Tel. 2 on 2552.

FUNERAL DIRECTORS.

FLANNER & BUCHANAN-320 North Illinois street. Lady embalmer, for ladies and children. Office always open. Telephone 641. Hacks at lowest prevailing price.

C. E. KREGELO, FUNERAL DIRECTOR, Residence Phone, New 1749. No branch office on N. Illinois street.

SOCIETY MEETINGS.

MASONIC-Keystone Chapter, No. 6, R. A. M.:
Stated meeting in Masonic Temple this (Tuesday) evening at 7:30 o'clock.
VESTAL W. WOODWARD, H. P.
JACOB W. SMITH, Secretary.

FINANCIAL.

LOANS-Money on mortgages. C. F. SAYLES, 135 East Market street. LOANS-On city property; 51/2 per cent.; no com-mission; money ready. C. N. WILLIAMS & CO., 319 Lemcke building.

MONEY-To loan on Indiana farms; lowest mar ket rate; privilege for payment before due; we lso buy municipal bonds. THOS. C. DAY & CO., ms 805-812 Law building, Indianapolis. FINANCIAL-Loans made to honest salaried peo ple holding permanent positions with responsible concerns on their own names. Easiest terms. Get others' rates then see us. Strictly confidential. ECURITY MORTGAGE LOAN CO., 207 Indiana

PINANCIAL—We will make loans of \$1,000 and above on centrally located Indianapolis property at 4½ to 4½ per cent., interest payable annually, with privilege of making partial payments upon principal, etc. HOWARD M. ATKINSON, Wabash, Ind.

FOR SALE.

FOR SALE-Ten R.I.P.A.N.S for 5 cents at Druggists; one gives relief. FOR SALE—A good blacksmith shop; engine-turning lathe, rip-saw, emery stand, two forges; lots of tools. For particulars address J. L. M'ADAMS, East Lynn, Ill.

STORAGE.

STORAGE—The Union Transfer and Storage Com-pany, corner East Ohio street and Bee-line tracks; only first-class storage solicited. CRAT-ING AND PACKING OF HOUSEHOLD GOODS

NOTICE.

NOTICE—The Board of Trustees of the Central Indiana Hospital for the Insane will receive sealed proposals until Friday, Feb. 23, at 10 a. m., for furnishing a full line of supplies for the month of March, 1900. Requisition book will be on file at Room 45, Statehouse, on and after Monday, Feb. 19, 1900. By order of Board of Trustees. CE—How to make successful incubator for Address A. SPENGLER, 44 Euclid, Cleve-

WANTED-AGENTS. AGENTS WANTED-To sell the Life of Moody, by Charles F. Goss, D. D., Cincinnati, O.; the by Charles F. Goss, D. D., charles, handsome-book contains 640 royal octavo pages, handsome-ly illustrated and attractively bound; a grand ly illustrated and attractively bound; a grand opportunity for agents; act quickly. Call of THOS. J. CAIE & CO., 44-47 Pickering building.

WANTED-MALE HELP.

WANTED-Male help; experienced man commanding corps agents in Indiana life insurance. 14 Lombard, DR. HIGGINS.

LOST.

LOST-White Scotch terrier, black face and tall answers to "Foxy." Return to 2036 Cornel answers to ave. Reward.

CLAIM OF A BANK.

Judge Baker's Decision in a Bank-

ruptcy Case.

Judge Baker gave a decision yesterday touching on the right of a bank to retain money deposited by a bankrupt, when the latter is indebted to the bank for money borrowed on notes not matured at the time of the filing of the petition in bankruptcy. Bank of Crawfordsville against Noah E. Myers and Julius L. Charni. They were adjudged bankrupts on Dec. 16 last, and on Dec. 21 Henry Campbell was appointed receiver to take charge of the propcrty of the bankrupts. He found that the First National Bank held a deposit of \$777.66, but held notes amounting to \$5,000, which, however, were not due until a later period. On Dec. 22 the bankrupts presented a receipt to the First National Bank acknowledging that they had received \$777.66 from the bank on account of the deposit and ordering that the amount be transferred from their account to that of Henry Campbell as receiver. On Jan. 4 the bank filed proof of its claim, and on Jan, 5 the money was transferred on the books of the bank to the ac-

count of the receiver. The referee in the case understood this to be an actual payment of the money by the bank to the receiver and a waiver of its claim to possession of the money as against the rest of the creditors. The bank, however, asserted that the transaction was but a bit of bookkeeping and did not in any way effect the actual custody of the money Judge Baker reversed the decision of the referee and held that the bank was entitled to prove its prior claim to the exclusion of the other creditors.

HUNTER ON TRIAL

Case Against the Manager of the Co-Operative Knitting Company.

John H. Hunter, manager of the Co-operative Knitting Company, of this city, was brought to trial yesterday before Judge Baker in the Federal Court. The charge against him is using the United States mails for fraudulent purposes. The government claims that Hunter sent circulars broadcast over the country offering remunerative employment to all who would buy one of his knitting machines, which he guaranteed could be made to knit on the part of the operator. There are counts in the indictment under which Hunter is being tried and it is said that he has already sold three thousand of the knitting machines at a profit of 200 per cent. Hunter denies that his scheme is wrong, and says a full investigation will prove his statement to be true. Yesterday was spent in examining witnesses for the

Governor Goes to Washington.

Governor Mount left last evening for Washington, D. C., where he will meet with the committee appointed by the President to arrange for the centennial of the opening of the District of Columbia. Mrs. Mount did not accompany the Governor. committee at the Arlington Hotel to-mor- it is probable the work will be begun in R. E. Springsteen & Co., popular-prove evening.

The middle division of the tailors, a North Pennsylvania street.

LARGE CONTRACTS OUT

PRESENT METHODS MAY DEFEAT THE WILL OF THE PRESIDENTS.

Big Fight Over the Paying of Commissions-The Evansville & Terre Haute Coming to the Front.

The announcement that the lines in the Central Freight Association had again stopped cutting grain rates to the seaboard and hereafter no grain would be hauled at tracts had been wiped out-creates something akin to a smile among railroad and grain men. Says a Kansas City paper: "It was regarded in the nature of a 'railroad fore, and in some instances has been known grain, flour and provision rates has been so general that its existence cannot be denied, and the agreement to maintain rates was simply a repetition of the old tactics. It is not worth the paper it is written on, and was a waste of time and energy on the part of the traffic officials in affixing their roads desired to do so, is not deemed possible, as the roads to the East have al- of the Wheeling & Lake Erie system. ready made contracts for the carriage of more grain than there is in the Chicago elevators at the present time. One firm the transportation of over 1,000,000 bushels of grain at the cut rates, and there are any number of smaller contracts in existence. Long before these contracts can be fulfilled others of a similar character will be made, and so the thing may go on as it has for years. This is the situation as it exists to-day on the lines running East from Chicago." What of the lines out of

A Confidential Pool.

Kansas City and St. Louis?

No doubt exists in the minds of railway officials that a bitter fight will be made against the order that ticket agents should receive no commissions, which has been in effect since Feb. 1, and there is good authority for stating that through the instrumentality of a confidential pool an effort will be made to break up the agreement. Already it is stated that the lines between Chicago and St. Paul are uneasy and seeking for a loophole to give cause for breaking the agreement, and in anticipation of this the roads in this agreement have called a meeting of the passenger officials with the presidents in New York, March 7, to ascertain, if possible, where the circulars being sent to every ticket agent in the country emanate from. Under the head, "Important Notice," the circular says: 'The combination of capital, represented by the various railway companies, and the uniform actions of all the large systems, have forced their weaker competitors into the movement of abolishing all commission payments. It is the old question, but under a stronger pull than heretofore, and unless successfully combated by you, the loss of commissions will be followed with a formation of a new combination, by which you will virtually have to face a oss of position. The remedy lies in your own hands. Route your business to all directions via the strongest line. "In the East-The New York Central and

through connections (also Pennsylvania "In the West-The Union Pacific and through connections, the Chicago & Northwestern and through connections; also the Santa Fe system (where they are the strong line). If the ticket agents use their combined efforts wisely and energetically, hey will prove themselves a stronger power than all the great railway combinaions ever anticipated. Follow the above suggestions to the letter, until you receive positive promise from some line that they will pay, and then give them all your business. A tip to the wise is enough. Know

Personal, Local and General Notes. The Ohio Southern has ordered an engine weighing 180,000 pounds, to be used as

your power and use it."

busher on Summit hill.

The Haskell & Barker Car Works yesterlay commenced the building of 2,000 box cars for the Illinois Central. Thomas Rodd, chief engineer of the Pennsylvania lines west, is now in England

inspecting some engineering work. The board of managers of the lines constituting the Union Railway Company will hold their regular monthly meeting to-day. Over \$50,000 was distributed among the employes of Haskell & Barker car works at Michigan City, last Thursday. It was

monthly pay day. John T. Wheeler formerly purchasing agent of the Grand Rapids & Indiana, has been appointed purchasing agent of the Sargeant Company, of Chicago.

The heads of departments of the Big Four will to-morrow go to Cincinnati to put the finishing touches to the new book of rules to be adopted March 1. There were changes of agents last week at five important stations on the Baltimore & Ohio Southwestern: Washington, Mit-

chell, Seymour, North Vernon and Aurora. John. F. Miller, general superintendent of the Pennsylvania's Southwestern system. was in the city yesterday, also Harry Miller, superintendent of the Vandalia main Mr. George M. Taylor, traveling pass-

enger agent of the Baltimore & Ohio Southwestern, Vincennes, Ind., is taking a vacation and has gone South for his The Chicago, Milwaukee & St. Paul is building in its shops at Milwaukee 200 cars. 100,000 pounds capacity, to use in its ore traffic, which is becoming an important

item with that road. line on the Rock Island extension from for the successful applicant on Monday. Kingfisher to Guthrie by July 1. Work on grading was commenced yesterday, and large force of men was placed at each end gan street, was one of those who went to of the line.

The Pennsylvania is spending large sums of money in elevating its tracks through thickly settled cities in New Jersey. When this work is completed the time between Philadelphia and Jersey City will be further shortened

William McMullen, superintendent of the Honesdale branch of the Delaware & Hudson, who was instantly killed on Saturday by being run over by a train, just above Carbondale, had been with the company since 1859, and was fifty-six years old. In the last issue of the Ticket Agents' Coupon Manuel is a good picture of Mr. George J. Charlton, general passenger ticket agent of the Chicago & Alton. President Felton is surrounding himself with a staff of comparatively young men. The Cincinnati, Hamilton & Dayton now has three of its large new passenger engines in service on the Indianapolis division, and their fast trains are moving with the greatest regularity, which means a good deal, as but few roads in the country

have higher speeded trains. In Louisville alone the Louisville & Nashville Railroad expends in salaries and supplies \$300,000 each month; over \$3,500,000 annually. The mere suggestion that such stockings, gloves, etc., of the highest an institution contemplates a removal of grades, without any particular experience its headquarters and its shops naturally enough awakens speculation.

Within the last year 400 firemen have been promoted to be engineers on the Baltimore & Ohio lines proper, and that number of new men employed to take the places of those promoted. Every week new locomotives are being placed in service and firemen promoted to engineers.

The Chicago & Alton has now a large number of the best heavy type engines in the West, and those hauling the Alton Limited can make seventy-five miles per hour if necessary. The C. & A. was compelled to go into an agreement to make eight hours its time between Chicago and St. Louis. It is claimed the Alton limited covers the distance in six hours.

The Wabash officials are again considering the advisability of putting in a double A reception will be given in honor of the track between Decatur and Bement, and

Wabash has been doing an enormous WILL OF MRS. TALBOTT freight business in the past few monus, and the twenty-one miles of track between Decatur and Bement receives the heaviest. J. A. Barnard, general manager of the Peoria & Eastern, was yesterday so much better that he was dressed for a few hours and expects to be at his office next week. The Lake Shore roundhouse at Elkhart established a record for all division ter-

minals between Chicago and Buffalo, in the

twelve hours ending at 7 p. m., Sunday, as

these runs only seven were regular passenger runs, the rest being freights. The total for the twenty-four hours ending at midnight was seventy-six. The appointment of F. T. Dumont, assistant engineer of the Pennsylvania railroad, to look after the Pittsburg Union Station work is taken as evidence that the work will be pushed from now on. P. F. Breddlinger and Warran Mitchell will assist Mr. Dumont. The preliminary

W. H. Newman, president of the Lake Shore and the Lake Erie & Western road R. H. Hill, auditor of the Lake Shore, P. S. Blodgett, general superintendent of the joke,' as it has been 'agreed' so often be- | Lake Shore, and E. A. Handy, chief engineer, arrived in the city last night and will, to-day, have a conference with Vice to last over night. The demoralization in | President Bradbury and other officers of the Lake Erie & Western, after which they will complete the inspection of the prop-

Negotiations have been completed

plans, to avoid delays and inconveniences

thirty miles of railroad connecting Coshocton, O., with Zanesville. This acquisition, it is expected, will largely increase the importance as well as the earning signatures to such a document. That such | capacity of the Wheeling & Lake Erie. an agreement could be kept, even if the There are valuable terminals at Zanesville, which, under the reorganization of the newly purchased road, will become part While C. O. Munn, car accountant of the Merchants Dispatch Transportation Comcar service superintendent of the Big Four, alone is said to have made a contract for over Sunday, Mr. Munn was given a trip over the Belt road on a special car. He Belt road to the city, and expressed sur- gave a bond of \$40,000. prise that it was not lined its entire length with industries, although he said he could see enterprise in all parts of the city in the

line of industries. The Evansville & Terre Haute had about \$575,000 car trust bonds outstanding in 1890. These have been reduced gradually to \$4,000. After all payments due this year it is said that the cash surplus that is being carried in bank amounts to about from the workhouse, where he was sent by name and portrait of a deceased person on \$500,000. The road increased its net earn-This, added to the dividend balance of the last fiscal year gives \$184,534 net for the current year. The full preferred dividend calls for only \$64,200, leaving \$120,334 for the ommon, or a little more than 3 per cent. The property is reported to be in excellent condition. During the past year wooden bridges have been replaced by stone structures and other important improvements

have been made from current income. Two weeks ago the rivers were frozen up and no boats could be moved from delivered to points in the West and Southwest, and as the material was needed once the agents of the railroads were trying to secure it. Just at the time when was expected that the shipments would have to go by ran, the rain came, the rivers swelled, and four tow boats instead forty trains moved the freight. One boat towed barges carrying more than 25,000 tons of steel rails, spikes and splice bars, and three other towboats left soon after, and now that the Omo river is clear of ice and the water is high, 80,000 tons of railroad supplies will be shipped by river at once. On the same rise of water which enables the river man to beat the railroads out of a million dollars' worth of steel rails and other traffic, the towboats brought down more than 30,000,000 tons of coal, and are still moving freight in enormous quantities.

IS ATTRACTING THE ALLEGED VIO TIMS OF GEORGE W. ELLIS.

His Case on Trial Before a Special Judge-Stories Told by Young Men and Women.

The alleged victims of the "Enterprise Employment Agency" crowded into the law library at the courthouse yesterday afternoon at the hearing of the Ellis receivership case. George W. Ellis, proprietor of the "agency," is in jail on the charge of obtaining money under false pretenses. At the Fletcher Bank there is between \$200 and \$300 on deposit in Ellis's name, and those who claim to have been swindled by him are trying to get possession of the money. Receivership proceedings were begun before Judge Leathers, of the Superior Court, last week and Edwin S. R. Seguin

was appointed temporary receiver. The case is now being tried on its merits in order to determine whether or not Ellis's alleged victims are entitled to the money. Judge Leathers, not having time to hear the case, appointed W. A. Gavin to try it, and Judge Gavin is holding court in the law library. Many of those who claim to have been swindled by Ellis have been of them are well-dressed, stylish looking girls. The most of them called at the "Enterprise Employment Agency" in response to an advertisement which appeared in the newspapers on Feb. 9 to the effect that a physician desired a young woman assistant. According to the evidence of those who testified Ellis always demanded \$1 before he would begin to talk business. Most of the women who called in response to this advertisement went to the "agency" on Saturday, and each one, it is claimed, was told that she could have the place. Ellis declined to say who the doctor was, but An effort will be made to complete the announced that the physician would send Miss Georgia Dark, of 2306 West Michi-

see Ellis about a place with the Washington-street physician. When she was not summoned by the physician on Monday she went to see Ellis again, and claims he told her that the doctor had employed some one else. She says Ellis then told her to go to the Wasson dry goods house and inquire for Mr. Clancey, the general manager. Ellis intimated that she would be able to get a place there. She went to see Mr. Clancey, she said, and he informed her that he had no place for her and further declared that he knew nothing about Ellis. The experience of Bert Morris, of 38 South State avenue, was also unique. Mor- | sealed verdict was returned. ris recently came to this city from the country. He saw an advertisement from the 'Enterprise Employment Agency" and went there to see about it. In his case it was an elderly man of great wealth who was about to start on a tour of the world and wanted a young man of congenial disposition to accompany him. In his tesimony yesterday Morris said Ellis informed him that the rich old gentleman wanted to start about Feb. 1. Morris invested his dollar, but has not yet started on his trip abroad. He was told by Ellis, he says, that E. H. Willard, who had an office in the Law building, was the financial agent of the rich old gentleman. Morris was kept busy for a time seeing Willard and Ellis in regard to his trip. Willard has since been arrested on the charge of larceny and was sent to the workhouse where he was kept until officers from Milwaukee came after him on another charge. It is believed that Ellis and Willard 'worked" together. Morris said that finaly when he became very persistent about the place promised him Ellis told him they had a job for him at the Chanaler & Taylor machine shops. Morris says he went there, but failed to get a job, and was told that the firm had no dealings with Ellis and did not even know him. Louis Huffman testified that he had a similar experience at the Chandler & Taylor establishment. The hearing of evidence will be resumed

resent Ellis. R. E. Springsteen & Co., popular-priced

to-day. The case is being prosecuted by

Marshall & Seyfried. McCullough, Rein-

hard & Spahr and Frank C. Groninger rep-

LEAVES A LARGE ESTATE TO DAUGHTER AND GRANDDAUGHTER.

fifty-three engines were turned out. Of Some Smaller Bequests Are Made by the Decedent-Grand Jury's Report-Other Court Cases.

The will of Elizabeth Talbott, bequeathing the greater part of her estate to her daughter, Mrs. Mary T. C. Howe, and to less than tariff rates-after present con- when the work is under way, are being probated yesterday. The will was executed May 6, 1894. Mrs. Talbott's estate is very valuable. By the terms of the will Mrs. Howe is to receive her mother's real estate near Pennsylvania and Sixteenth streets, two-thirds of the Talbott South Meridian-street property, two-thirds of the property at Georgia and Illinois streets and a life interest in the Lombard building. To the granddaughter, Mabel Talbott, is bequeathed a farm in Marion county and which the Wheeling & Lake Erie obtains

all real estate owned by Mrs. Talbott in should die before the age of twenty-five and without children her share in the property is to go to Mrs. Howe. By the terms of the will John C. Wright becomes trustee for the granddaughter. The sum of \$30,000 is to be realized from the estate and invested by Stoughton J. Fletcher as trustee for Mrs. Talbott's sister, Mary Morrison. At her death \$20,000 of this fund is to revert to Mrs. Mary T. C. Howe and \$10,000 is to pany, was the guest of J. R. Cavanaugh, go to Mary T. Morrison, Mrs. Talbott's niece. Mrs. Talbott bequeathed \$2,000 to the New Church (Swedenborgian) Theological Seminary, of Cambridge. Stoughton J. was much surprised over the value of the | Fletcher was made executor of the will and

TWENTY-TWO APPLICATIONS

From Workhouse Prisoners, Who

Will Seek Their Release. Judge Leathers, of the Superior Court, yesterday ordered James D. Small released sault and battery. Habeas corpus proceed- & Co. (Mich.) 46 L. R. A., 219, since the ings were brought in the Superior Court for Small's release, and Judge Leathers sustained the contention of the plaintiff's attorney. This was to the effect that the police judge had imposed an excessive fine. It was claimed that the law permits a police judge to assess a fine of no more than \$25 in a case of assault and battery. Attorney Hendricks, who represented Small, said yesterday evening that up to date he had applications from twenty-two workhouse prisoners who desire to bring

labeas corpus proceedings on the same In his decision Judge Leathers said he had no doubt that the Legislature meant to give the Police Court the same jurisdicpossessed by the Criminal Court in assault and battery cases. However, the wording of the statute gave it a different meaning and it must be construed accordingly. It is believed that this decision will have the effect of taking many cases to the grand jury and Criminal Court that would otherwise be disposed of in the Police

GRAND JURY'S REPORT.

One Man Charged with Murder Dis-

charged-The Indictments. The county grand jury made a partial report to the Criminal Court yesterday. OF MONEY IN BANK The following indictments were made public: Charles Alcom, assault and battery with intent to kill; John Owens and Newel Winson, grand larceny; Jesse Hendricks and James Williams, robbery; John Clegg, assault and battery with intent to kill; Herbert Foltz, assault with intent to kill; James Richards, assault and battery with intent to kill; James Webber, Oliver Hack-ney, Arthur Higgins, John Lawn and Wil-

liam Shea, grand larceny, The jury discharged Charles Tishner who killed John Lucas at Cumberland about six weeks ago. Tishner struck Lucas over the head with a billiard cue. The jury discharged him on the ground that he acted in self-defense. James Richardson, charged with assault and battery with intent to kill, was also discharged. The jury has not yet finished the investigation of charges against alleged liquor

ROBINSON'S MENTAL CONDITION May Result in His Being Given

Workhouse Sentence. It is probable that Paul V. Robinson, who shot and wounded his young wife, Tillie Robinson, at the office of Attorney Schwartz, where she was employed, will be given a workhouse sentence of about year. It is claimed that Robinson is not mentally sound at all times and his family has been threatening to have a commission ting him in the asylum. They are willing, however, for the State to send him to the workhouse for a year, and if it is concluded to do this there will probably be no defense in his case. An affidavit has been received from the judge of the Court at Minneapolis stating that Robinson was arrested in that city last December and locked up on the insanity charge. The affidavit states that Robinson was in

a bad state of mind at the time from worrying about his wife, who was in this city. Addie Tucker's Complaint. Addie Tucker began an action for divorce yesterday from Joseph Tucker to whom she was married on April 21, 1884. They eparated on Jan. 5, last, the plaintiff says. She complains that Tucker neglected her and their child. She charges that while the infant was ill in December, 1898, her husband neglected to provide for her and she was compelled to go out among the neighbors and borrow coal to keep her child from freezing. She avers that one evening he came home and she told him what she had been compelled to do. "told her to go to the devil," The plaintiff further charges that her husband failed to pay the rent, permitting her to be turned out in the cold

The Jury Sent Back.

When the federal jury in the Kyle case reported, last night that the members had not agreed on a verdict, Judge Baker gave the members a "talking to," saying that there was no point of law on which he could throw any light and that all there was to consider was the question of fact. He sent the jury back to its room to "deliberate until 11 o'clock last night," saying he hoped an agreement would be reached by that time. At 10 o'clock last night a

Asks Big Sum for a Foot.

Charles Dickson is suing the Big Four Railroad Company for \$25,000 damages. The plaintiff was injured on Jan. 22, last, in crossing the tracks at West Market street. He says he was truck by a train that was traveling at an excessive rate of speed and so badly injured that he had to have his left foot amputated. A Guardian Appointed.

dian for Noah Noble, on the petition of his sister, Jeanie Noble Whaley.

Six Months in Jail. Oliver Carey pleaded guilty to assault and battery in the Criminal Court yesterday and was fined \$1 and sent to fail for six

In the Circuit Court yesterday the In-

diana Trust Company was appointed guar-

THE COURT RECORD.

SUPERIOR COURT. Room 1-John L. McMaster, Judge. Drusilia A. Knight vs. Louisa E. Baker; damages. On trial by jury. Room 2-James M. Leathers, Judge.

Flora B. Nowlin et al. vs. F. M. Finch et al.; quiet title. On trial by jury. Room 2-Vinson Carter, Judge. Charles Collier vs. Charles H. W. Otte; | compete for the prizes a rare chance of | Young & McMurray, Tallors, 42 N. Penn. st. | LEE. Chief Quarter

damages. Jury return verdict for defend-Louisa C. E. Robison vs. Minnie L Buhrlage et al.; garnishment. On trial by

CIRCUIT COURT. Henry Clay Allen, Judge. Ida M. South, Administratrix, vs. James Pool et al.; account, etc. Plaintiff dismisses as to defendant Mary E. Hume. John Moore vs. Hilton U. Brown et al.; street improvement. Finding for defendants. Judgment against plaintiff for costs. Hattie Clarke vs. John Clarke; divorce. By agreement of parties, order of allowance for support of child set aside, and attorney's fees. Settlement made. Defend-

ant discharged. State of Indiana vs. John Clarke; contempt of court. Dismissed by agreement. Judgment against defendant for costs. Charles Wonnell vs. Allen Caylor; from . P. Submitted to court. Evidence heard. Finding for plaintiff. Judgment against de- | MEDICINE-sold stamped as such. It is her granddaughter, Mabel Talbott, was | fendants for \$1 damages for detention of property and for costs.

> NEW SUITS FILED. Chester Dickerson vs. the Cleveland, Cininnati, Chicago & St. Louis Railway Company; damages. Superior Court, Addie Tucker vs. Joseph Tucker; divorce.

> Circuit Court. Mary Gormley vs. Henry Gormley; divorce. Circuit Court.

Notes of Recent Opinions.

An order for the examination of a woman by medical experts appointed by the court the county except that bequeathed to Mrs. is held, in Lane vs. Spokane Falls & N. R. Howe. In the event that Mabel Talbott | Co. (Wash.) 46 L. R. A., 153, to be within the power of the court in an action to recover damages for her personal injuries. An attestation of the reports of a national bank made by directors is held, in Gerner vs. Mosher (Neb.) 46 L. R. A., 241, sufficient to make them liable for false representations in favor of one who bought stock in reliance on false statements in the

The use of ground for cemetery purposes so as to constitute a private nuisance by reason of its polluting and poisoning water in the neighboring wells is held, in Lowe vs. Prospect Hill Cemetery Association (Neb.) 46 L. R. A., 237, to be restrainable by injunction.

The right of a broker employed to sell property to be at the same time the agent of both purchaser and seller and entitled to commissions from both is denied in Friar vs. Smith (Mich.) 46 L. R. A., 229, unless both principals know that he is acting in such dual capacity. An injunction against the use of the

a cigar label, at the suit of his widow, is refused in Atkinson vs. John E. Doherty injury to the feelings in such a case is not one which the law can redress. A transfer of the good will of a corporation by a stockholder on the sale of his

stock is held, in Merchants' Ad Sign Com-

pany vs. Sterling (Cal.) 46 L. R. A., 142, to be beyond his power, and his contract not to engage in business in competition with the corporation is held void as in restraint An assessment on a street railway of the expense of paving the space occupied by the roadbed and tracks and for a distance of two feet from each side is upheld in

Shreveport vs. Prescott (La.) 46 L. R. A. With this case is an extensive note on the liability of a street railway for pav-Criminal responsibility for a conspiracy o cheat by materializing seances of a proessed medium is held, in People vs. Gilman Mich.) 46 L. R. A., 218, to be punishable, notwithstanding the contention that no crime was committed because it was an obvious humbug that in the nature of things

could not deceive any rational person. The system of rubbing and kneading the body commonly known as "osteopathy" held, in State vs. Liffring (Ohio) 46 L. R. A., 334, not to be an agency within the meaning of a statute regulating the practice of medicine which forbids the prescribing of any "drug or medicine or other agency" for the treatment of disease by a person who has not obtained a certificate of qualification.

RENEWED VIGOR

THE LAWTON MONUMENT COMMIS-SION WILL GO TO WORK.

Members of the Commission Will Personally Solicit Subscriptions-A State Organizer.

The members of the Indiana Lawton monument commission held a meeting at the Commercial Club rooms last evening, which will probably result in a very material increase in the monument fund in the near future. Heretofore the work done by the commission has been entirely by correspondence, and though a very creditable showing has been made in the way of subscriptions, it has become the sense of the commission that the work should be more vigorously prosecuted. It was with this spirit that the members were called together, and there was not one of the commission present at the meeting who did not enthusiastically indorse the sentiment.

It was unanimously agreed that the commission should not content itself with a \$15,000, and in compliance with this expression a resolution was offered and unanimously adopted which provides that the best efforts of the commission shall be put forth to raise money sufficient for the erection of an equestrian bronze statue of heroic size. The statue will be a magnifi-Indiana will be justly proud. A member present said that he had heard it suggested that the commission would content itself with the erection of a \$5,000 statue, but he thought that the people who entertained such ideas did not begin to understand the patriotism to be found among the people of Indiana. Said he: "If we go at this matter right and let the people know just what we want, and explain to them the beautiful statue we contemplate erecting as a memorial to General Lawton, it won't be long until we will have more money than we need." It was agreed by those present that the best way to accomplish the purpose of the commission was to abolish the old method of obtaining subscriptions and to divide the commission into committees who will hereafter solicit in person. Every member present said he would be glad to serve on any committee and would willingly call upon any person designated. In accordance with the wish of those present, Chairman McKee appointed R. O. Hawkins and T. P. Davis to call upon the lawyers, E. B. Martindale and C. E. Coffin to visit the insurance companies and banks, J. E. McGettigan, A. A. Young and C. C. Gilmore the wholesalers, manufacturers and retailers, Dr. F. W. Hays the doctors and dentists, Gen. W. J. McKee the State and county officers and the military organizanewspapers, printers and publishers, J. S. Lazarus and S. B. Sweet the railroads. C C. Perry and I. S. Gordon the municipal

corporations. The committee also decided that it would secure the services of a State organizer to look after the subscriptions outside of Indianapolis. It was agreed that the person selected should be a man who would take an interest in the matter and one who was well acquainted throughout the State. It is believed that when the matter is thus brought personally to the people throughout the State that there will be an immediate response in the way of substantial subscriptions. The selection of the State organizer was referred to Dr. F. W. Hays, who says that he will undertake to find a man who will serve without remuneration. The subscriptions to date amount to about \$4,000, and the commission hopes with its renewed efforts to quadruple that amount in a very short time.

The Corn Growers' Meeting.

At the meeting of the Indiana Corn Growers' Association, which will be held to discuss all matters relating to the growing of corn. As there will be a corn show at the state fair this fall, at which \$100 will be offered in premiums, the present meeting will afford those who wish to

STRONG TESTIMONY.

After Years of Scientific Research this Eminent Practitioner Prescribes and Indorses Duffy's Pure Malt Whiskey for Medicinal

Worthington, Mass. Dear Madam: I have your kind favor, in which you do me the honor of asking "if it is true that I recommend Duffy's Mait Whiskey." You add that you "would not expect it of an avowed temperance man, and a Sunday school superintendent." Dear madam, I AM a temperance man, and know no words strong enough to express my disgust and detestation of the vile whiskey that peoples hell. I would that it were a recognized crime to manufacture and sell it. People WILL drink, and I would that if they must do so they use the pure article that will not ruin brain, nerve and soul. The Duffy Malt Whiskey is a not a vile compound of trash, poison and slops. I use it in laboratory work because by it I get the true physiological effect of a pure liquor. When necessary to prescribe, write the name in full, instead of writing "spts, frumenti." (I would that every physician did the same.)

The medical profession need to specify the best, the purest-and no other. If it did so, if it were so that only pure medicines were used, it would advance medical science and advantage mankind. Duffy's Malt Whiskey lacks the element-fusel oilthat injures the system. Can I do other-wise than stand for it, and stand, denounc-

ing POISON whiskey? I have stated this before in public print, and I think I make myself plain. At least I have my grounds, supported by leading temperance people; and among my well-wishers I hope to have yourself.

Sincerely, and advocating condemnation of the devil's weapons, I am truly yours, WILLARD H. MORSE, M. D. and F. Sc., American Director Bureau Materia Medica, New York. Dr. Morse is not only an M. D. and a F S. Sc., but is a well-known Therapeutist and a Consulting Chemist of national reputation. He is the American Director of the

Iamatological Bureau and Fellow of the

Society of Science (British), as well as au-

thor of the Text-book "New Therapeutical

Agents" etc.

AMUSEMENTS.

GRAND - To-Night - WEEK

25c Mats. Wed. and Sat. Special Holiday Mat Thursday (Washington's Birthday.)

William Gillette's Great American Play, "HELD BY THE ENEMY"

Augmented Cast. Realistic Scenes.

Evening and Washington's birthday matinee prices—Lower floor, 50c; balcony, 25c; gallery, 15c. Regular Wednesday and Saturday matinees, 25c. Next week—"Alabama." Character pictures of Herman Sheldon (Kitchell's new ellipselds) sold panel), Monday night.

今ENGLISH'S參 Friday, Saturday, Feb. 23, 24, Saturday Mat. Messrs. Liebler & Co. Present Children of the Ghetto Prices-Nights, \$1.50, \$1.00, 75c, 50c, 25c. Mat., \$1.00, 75c, 50c, 25c. Seats Now Ready

PARK-TO-DAY-2 p. m The Versatile Comedian and Comedienne, Clifford & Huth In the Brightest Farce in Existence,

COURTED INTO COURT First time at popular prices, 10c, 20c, 30c. Everybody goes to the Park. Thursday (Washington's birthday), Rose Melville, in "Sis Hopkins." Thursday (holiday) matinee prices same

Empire & Theater Wabash and Delaware Sts. EVERY NIGHT. MATINEE DAILY.

...MIACO'S...

Grass Widows MASONIC HALL, Opp Park Theater... If you want to know TO-NIGHT about anything Second Big Week ASK MISS FAY

Marvelous

EVA...FA Mats. Thur. and Sat Prices-15c and 25c becoming expert judges of corn. An interesting programme has been prepared

15c-25c-35

and the probabilities are that the meeting will be well attended.

CASE IN THIS CITY. The Cold Weather Causes Smallpox to

Break Out Afresh. A well-developed case of smallpox was, discovered yesterday afternoon at the home of John Brigham, 806 Bates street. The patient is Mrs. Maggie Sperling, who came here on a visit from Monticello, Ill., about two weeks ago. A physician was called Sunday morning to see the little daughter of Mrs. Sperling, who was supposed to be suffering with convulsions. While examining the child he noticed that

the mother was broken out with eruptive Yesterday morning the city Health Board was notified and immediately sent Dr. Ferguson to investigate the report. He reported that the woman had a well-developed case of smallpox, and while the little' cent work of art, of which the people of | daughter was not broken out with the disease. Dr. Ferguson was under the impression that she was suffering from the first stages of it. The Health Board at once had the patients removed to the smallpox ward of the City Hospital, and the Brigham family was quarantined. There have been few exposures, and little danger of the disease spreading is apprehended Ever since the cold weather the State Roard of Health has been receiving reports from the districts infected with smallpox, which indicate that the number of cases is increasing. Reports were received from various parts of the State yesterday stating that smallpox had broken out again. Dr. Mayfield reported that several familles had smallpox at Saltillo, and the Town Board of Health had refused to do anything to prevent the spread of the disease. The State Board will demand that the Town Board act at once. A number of cases were reported from Campbellsburg and vicinity. Dr. Hurty also received a telegram from Scottsburg asking him to visit that city, and it is thought there are

new cases there. New Indiana Industries.

The following companies were incorporated yesterday: Dr. Hunt's School of Magnetic Healing, of Evansville; capital tions, H. S. New and H. U. Brown the stock, \$5,000; members, William A. Hunt

> and Maria A. Hunt. The Calumet Oil Company, of Medarysville, Pulaski county; capital stock, \$100,-000; directors, A. R. Cosgrove, T. E. Wilson, F. H. Tepe, J. R. Robertson, G. N. Hewitt, T. J. Duffy, W. F. Robertson, E. Ryan, R. Long and A. Tepe. Peru Lodge, No. 365, of the Benevolent and Protective Order of Elks, of Peru;

trustees, G. R. Chamberlain, Julius Falf and Orson Durand. The Pneumatic Elevator and Weigher Company, of Indianapolis, filed a notice of an authorized issue of \$75,000 of preferred

Gas and Oil Lands as Security.

Several days ago Attorney General Tayor received a letter from George A. Modlin, attorney for Grant county, inquiring as to the validity of a loan of school funds on land leased for gas and oil without the waiver of a lease. In his reply lease was not such an incumbrance as would remove or destroy the title of the owner to the land, and that it would be altogether safe for the county auditor to make loans of school funds on lands subject to gas and oil leases which are other-

wise adequate security for the loans made.

If you want returns for money invested buy your paints and brushes of us. We furnish more for less money and of better

Indianapolis Paint and Color Co.

quality than can be found anywhere else.

Getting Full Value...

Paint and Varnish Makers, 240 to 248 Massachusetts Avenue,

INDIANAPOLIS, IND.

LEGAL ADVERTISEMENTS.

NOTICE OF MASTER'S SALE OF THE PROPERTY OF THE FORT WAYNE, TERRE HAUTE & SOUTHWESTERN RAILROAD COMPANY.

By virtue of a decree of the Circuit Court of the United States for the District of Indiana, entered on the first day of February, A. D. 1900, in a cause pending in said court, wherein Porter Skinner is complainant and the Fort Wayne, Terre Haute & Southwestern Railroad Company and others are defendants, being cause No. 9093 of said court, the undersigned, Noble C. Butler, Special Master in Chancery in said cause, will, on WEDNESDAY, THE FOURTEENTH (14TH) DAY OF MARCH, A. D. 1900, at 10 O'CLOCK A. M. of said day, offer for sale to the highest and best bidders, at public auction, at a point on the railroad track ffer for sale to the highest and best block track sublic auction, at a point on the railroad track of the Fort Wayne, Terre Haute & Southwestern Railroad Company, within one thousand fee Railroad Company, within one thousand feet north of the railroad tracks of the Cleveland, Cincinnati, Chicago & St. Louis Railway Company, at Carbon, in the county of Clay and State of Indiana, the following described property the said Fort Wayne, Terre Haute & South-western Railroad Company, to wit: First-In one parcel: All that part of the railroad of the Fort Wayne, Terre Haute & South-western Railroad Company extending from Car-bon, in Clay county. Indiana, to the point of function of said road with the Chicago & Sout eastern Railroad, near Bridgeton, in Parke county, Indiana, including that part of said road about one thousand feet in length lying south of the tracks of the Cleveland, Cincinnati, Chicago & St. Louis Railway at Carbon, in Clay county, Indiana, together with all rights, powers, franchises and privileges of constructing, completing and operating the said part of said road, and also all lands, tenements and hereditroad, and also all lands, tenements and hereditaments, easements, rights of way and claims for rights of way, embankments, culverts, ties, rails, tracks, switches, turnouts, water tanks and fences appertaining and belonging to said part of said road, including the loose rails along the right of way claimed by said railroad company at Carbon, which were taken up by or on behalf of the Cleveland, Cincinnati, Chicago & behalf of the Cleveland, Cincinnati, Chicago & St. Louis Railway Company; and also all leases, rights under leases and under contracts and agreements of and concerning said rights of way the points aforesaid and all terminal between the points aforesaid and all termina rights and privileges held or claimed by said railroad company in connection with said part of

Second—In one or more parcels: All of the rails, frogs, switches, targets, cattle-guards, fishplates and spikes taken up by the receiver under order of the court and piled on the right of way of said road at and near Bridgeton, in Parke county, Indiana, the said property being more particularly described as follows: 1,807 rails, each 30 feet in length: 74 rails, each 28 feet in length; 39 rails, each 26 feet in length; 3 rails, each 24 feet in length; 18 rails, each 22 feet in length; 1 rail, 20 feet in length; 3 rails, each 16 feet in length, making a total of 1,945 rails, weighing about 577 gross tons; frogs and guard-rails weighing about 577 gross tons; frogs and guard-rails weighing about 58 gross tons; 40 cattle-guards, weighing about 22 gross tons; 8 switchstands and about 12 gross tons of old spikes, broken bolts and scrap iron. Third—In one or more parcels: All the rights and claims of said Fort Wayne, Terre Haute & Southwestern Railroad Company to the rights of and claims of said Fort Wayne, Terre Haute & Southwestern Railroad Company to the rights of way, bridges, culverts, trestles, ties, fencing and other property of said road remaining and being upon and appertaining and belonging to that part of said road extending eastwardly from the point of junction of said road with the Chicago & Southeastern Railroad near Bridgeton, in Parke county, Indiana, through Mansfield, in Parke county, Indiana, about four and one-half miles in length, and the unfinished grade and right of way beyond Mansfield. right of way beyond Mansfield. Said property will be sold in parcels, as above tated, without valuation, appraisement or resum less than thirty thousand dollars; and no

a sum less than thirty thousand dollars; and no bid for said steel rails will be received of less than twenty-six dollars per gross ton. And no bid will be received from any bidder for any part of said property who shall not at the time of or before making his bid deposit with the Special Master in cash or certified check as a piedge that such bidder will make good his bid accepted by the court the sum or sums follow. pledge that such bidder will make good his bid if accepted by the court the sum or sums following: Upon any bid for said first parcel, the sum of three thousand dollars; upon any bid for property in said second and third parcels, a sum not less than ten per cent. of the amount bid: Provided, however, that any bidder shall, by a deposit of one thousand dollars in cash or certified check and at least fifty thousand dollars of the par value of the certificates for bonds of said railroad company described in said decree, be allowed to bid on any and all the parcels of property above described. The court reserves the right to reject any and all bids for the said property or any of it, and to resell the same in its discretion, and no sale

shall give the purchaser any right, title or interest in any part of said property until it shall be confirmed by the court.

Upon the confirmation of each of said sales of said several parcels of property the amount so deposited with said Special Master by the successful bidder therefor as a condition of his bid, as aforesaid, shall, so far as the same is in as aforesaid, shall, so far as the same is in cash, be taken as a payment upon and on account of his purchase aforesaid, and any part thereof which may be in certificates shall be held subject to such distribution as the court may make. And upon and from time to time after the confirmation of such sale the said purchaser or purchasers of each or any of said parcels shall pay into court in cash such portion of the balance of such purchase money as the bonds in payment of any balance remaining unthe pro rata amount to which, ut orders of the court, they may be entitled in distribution of the proceeds of such sales, either of said purchasers may at any time nplete his purchase of either parcel thereof by ly paying the amount remaining due thereon wided that the purchaser of the said first par-above mentioned shall, at his option, have the privilege of paying therefor as follows: Ten thousand dollars on the confirmation of said sale, an additional ten thousand dollars in six months thereafter, with interest at the six per cent. per annum thereon, and the re-mainder of said purchase money within one year from such confirmation, with interest at the rate of six per cent. per annum thereon. That portion of said purchase price not required to be paid in cash may either be paid in cash or the purchaser may satisfy and make good said balance of his bid, in whole or in part, by pay-ing over and surrendering to the said Special ing over and surrendering to the said Special Master said bond certificates secured by the said mortgage, said certificates being received at such price and value as the court shall from time to time direct. If any bid shall be accepted by the court, and the person making the same of the bid, and the moneys paid on such pur-chase, shall be forfelted, and shall be applied as the court may direct, and the court may order resale of the premises as if no such sale ha

remain in the possession and control of the re-ceiver of this court until the payments made by the purchaser thereof shall be fully completed and deeds or bills of sale shall have been made and delivered to the purchaser. And during the time said first parcel of said property shall remain in the hands and under the control of the receiver of this court he shall under the orders of the court, lease the same, and collect and receive all rentals and income thereof, and upon the completion of the purchase of said first parcel, in accordance with the orders of the court from time to time made, such purchaser shall be entitled to a credit upor the unpaid purchase money and interest, to the amount of the net rental and income which the receiver may have realized therefor, less the expenditures made in preserving said property, and in collecting such rentals and such allowances as may be made to the receiver for his services n respect to the same. The purchasers shall hold said property free from the liens or equities of the parties to said cause, and shall be entitled to further deeds of assurance, for particulars of which reference is made to said decree. NOBLE C. BUTLER.

Special Master in Chancery of the United States

been made. The said property and all of it shall

William P. Kappes Solicitors for Complainant. NOTICE—Sealed proposals for the slops of the Central Indiana Hospital for the Insane, from April 1, 1900, to April 1, 1901, same to be removed as required by the hospital authorities, and payment to be made monthly in advance, will be opened and contract awarded on Feb. 23, 1900. Room 45. Statehouse. As a guarantee of good faith bidders are required to indorse with their proposals a certified check for \$25, payable to the order of the Board of Trustees. All checks will be returned to the unsuccessful bidchecks will be returned to the unsuccessful bid-ders. By order of Board of Trustees. PROPOSALS MILITARY SUPPLIES - Chi Quartermaster's Office, Chicago, Ill., Feb. Sealed proposals, in triplicate, will coived at this office until 10 o'clock a. m., March 2. 1990, and then opened, for the manufacture, from materials to be furnished by the government, of 125,000 Khaki Shiets, to be delivered at either Chicago or Philadelphia Decots of the Quartermaster's Department. Also for furnishing and delivering at either of these depots 75,000 spools sewing cotton and 7,000 gross bone buttons. any or all proposals or any part thereof. nce given to articles of manufactures the duty thereon, being equal, Blanks for proposals and all particulars will be urnished on application. Envelopes containing proposals to be indorsed "Proposals Military supplies" and addressed to Colonel J. G. C.

Circuit Court for the District of Indiana.